

REMARKS

Applicants will address each of the Examiner's rejections in the order in which they appear in the office action.

Claim Rejections - 35 USC §102

In the Office Action, the Examiner rejects Claims 24 and 26 under 35 USC §102(e) as being anticipated by Shibamoto et al. This rejection is respectfully traversed.

While Applicants traverse this rejection, in order to advance the prosecution of this application, Applicants have amended Claims 24 and 26 to recite an "active matrix EL display device." Support for this feature is shown, for example, in Figs. 6, 9, 10, 11, 14 (see Brief Description of the Drawings on page 5 of the specification describing the structure in these drawings as a "active matrix liquid crystal display device") of the present application. These figures are described in Embodiments 5, 6, and 7 of the present application.

Applicants do not believe that Shibamoto discloses an active matrix EL display device. Accordingly, the claims are patentable thereover, and it is respectfully requested that this rejection be withdrawn.

Claim Rejections - 35 USC §103

Claims 1, 2, 6, 7

The Examiner also rejects Claims 1, 2, 6 and 7 under 35 U.S.C. §103(a) as being unpatentable over Shibamoto et al. in view of Yamazaki et al.¹ and Friend et al. This rejection is also respectfully traversed.

In the Office Action, the Examiner contends that it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the portable electronic device of Shibamoto with the teachings of Yamazaki and Friend by forming a liquid crystal display having a plurality of first pixels and an EL display having a plurality of second pixels, each one of the plurality of pixels have a light emitting element so as to realize image display of high definition and to produce a matrix-addressed display with a wide viewing angle and a high speed response.

Applicants disagree and respectfully submit that the combination of these references is improper. More specifically, Shibamoto states that the EL panel of the disclosed device uniformly illuminates the substantially overall rear surface of the operational panel so that all operation switches can be uniformly illuminated and therefore easily operated in a dark place (see e.g. Col. 2, ln. 67 - col. 3, ln. 3 of Shibamoto). Hence, the EL panel of Shibamoto is simply used where semiconductor LED's have traditionally been used for illuminating a key operation.

In contrast, Yamazaki discloses a display device that has a plurality of pixels arranged in a matrix so as to realize an image display of high definition. (Col. 1, lns. 16-22) Hence, Yamazaki's active matrix type EL display for displaying an image and Shibamoto's EL panel for illuminating uniformly are completely different and entirely different concepts. Hence, one skilled in the art would not have combined the teachings of these references.

Further, Friend discloses a matrix-addressed type of display (i.e. a passive matrix type of display). This differs from the active matrix display of Yamazaki.

Hence, there is no suggestion or motivation in the cited references to combine them, as required by the Court of Appeals for combining references. Therefore, the combination of these references is improper, and any rejection based thereon should be withdrawn.

¹ Applicants assume that the Examiner is referring to US Patent no. 6,380,011, which is cited in the Examiner's 892

In addition, Applicants have amended independent Claims 1 and 2 to more clearly define the invention. It is respectfully submitted that the device of the amended claims is patentable over the cited references, and it is requested that this rejection be withdrawn.

Claims 8-11, 21 and 22

The Examiner also rejects Claims 8-11, 21 and 22 under 35 USC §103 as being unpatentable over Shibamoto et al. in view of Yamazaki et al. and Friend et al., and further in view of Mack II et al. This rejection is also respectfully traversed.

Each of these rejected claims is a dependent claim. Accordingly, for at least the reasons discussed above for the independent claims, these dependent claims are also patentable over the cited references. Therefore, it is respectfully requested that this rejection be withdrawn.

Claims 3 and 16-18

The Examiner also rejects Claims 3 and 16-18 under 35 USC §103 as being unpatentable over Shibamoto et al. in view of Yamazaki et al. and Friend et al., and further in view of Lebby et al. and Mack II et al. This rejection is also respectfully traversed.

Each of these rejected claims is a dependent claim. Accordingly, for at least the reasons discussed above for the independent claims, these dependent claims are also patentable over the cited references. Therefore, it is respectfully requested that this rejection be withdrawn.

Claims 4 and 5

The Examiner also rejects Claims 4 and 5 under 35 USC §103 as being unpatentable over

Shibamoto et al. in view of Yamazaki et al. and Friend et al., and further in view of Crossland et al.

This rejection is also respectfully traversed.

Each of these rejected claims is a dependent claim. Accordingly, for at least the reasons discussed above for the independent claims, these dependent claims are also patentable over the cited references. Therefore, it is respectfully requested that this rejection be withdrawn.

Claims 19 and 23

The Examiner further rejects Claims 19 and 23 under 35 USC §103 as being unpatentable over Shibamoto et al. in view of Washo and Friend et al. This rejection is also respectfully traversed.

Washo discloses a combined display panel comprising an EL panel and a reflective liquid crystal display panel. However, the display device in Washo has only one screen. The device in Shibamoto also only has one screen.

In contrast, Claims 19 and 23 of the present application are directed to a portable electronic device having an active matrix EL display device or screen and a reflection display device or screen. Hence, there is more than one screen in the claimed invention.

Therefore, the cited references fail to disclose or suggest the claimed invention. Accordingly, the claims are patentable thereover, and it is respectfully requested that this rejection be withdrawn.

Claim 20

The Examiner also rejects Claim 20 under 35 USC §103 as being unpatentable over Shibamoto et al. in view of Washo and Friend et al. and further in view of Crossland et al. In order to advance the prosecution of this application, this claim has been canceled, rendering this rejection moot. Therefore, it is requested that the rejection be withdrawn.

Claim 25

The Examiner also rejects Claim 25 under 35 USC §103 as being unpatentable over Shibamoto et al. in view of Crossland et al. This rejection is also respectfully traversed.

This rejected claim is a dependent claim. Accordingly, for at least the reasons discussed above for the independent claims, this dependent claim is also patentable over the cited references. Therefore, it is respectfully requested that this rejection be withdrawn.

Claim 27

The Examiner also rejects Claim 27 under 35 USC §103 as being unpatentable over Shibamoto et al. in view of Adair et al. This rejection is also respectfully traversed.

This rejected claim is a dependent claim. Accordingly, for at least the reasons discussed above for the independent claims, this dependent claim is also patentable over the cited references. Therefore, it is respectfully requested that this rejection be withdrawn.

Claims 28 and 31

The Examiner also rejects Claims 28 and 31 under 35 USC §103 as being unpatentable over Harris et al. in view of Shibamoto et al. and Friend et al. In order to advance the prosecution of this application, these claims have been canceled, rendering this rejection moot. Therefore, it is requested that the rejection be withdrawn.

Claims 29, 30, 32 and 33

The Examiner rejects Claims 29, 30, 32 and 33 under 35 USC §103 as being unpatentable

over Harris et al. in view of Shibamoto et al. and Friend et al., and further in view of Mack II et al. In order to advance the prosecution of this application, these claims have been canceled, rendering this rejection moot. Therefore, it is requested that the rejection be withdrawn.

For at least the above-stated reasons, it is respectfully submitted that all of the rejections under 35 USC §103 have now been overcome, and it is respectfully requested that they be withdrawn.

New Claims

Applicants are also adding new Claims 34-51 herewith. It is respectfully requested that these new claims be entered and examined. Please charge our deposit account 50/1039 for any fee due for these new claims.

Information Disclosure Statement

Applicants are also filing an IDS herewith. It is respectfully requested that the Examiner consider this IDS prior to issuing a further action in this application.

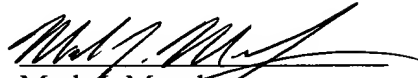
Conclusion

Accordingly, for at least the above-stated reasons, it is respectfully submitted that the present application is in a condition for allowance and should be allowed.

If any fee is due for this amendment, please charge our deposit account 50/1039.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,


Mark J. Murphy
Registration No. 34,225

COOK, ALEX, MCFARRON, MANZO,
CUMMINGS & MEHLER, LTD.
200 West Adams Street, Suite 2850
Chicago, Illinois 60606
(312) 236-8500